

TABLE 13—AIR-PURIFYING AND POWERED AIR-PURIFYING RESPIRATOR FILTER TESTS REQUIRED FOR APPROVAL

[42 CFR Part 84, Subpart KK]

Respirator types	Silica dust tests			Lead fume test 84.1146	Silica mist test 84.1147	DOP test 84.1151
	84.1144	84.1145	84.1152			
Dusts: Air Contamination Level not less than 0.05 mg/M ³ or 2 mppcf	X			X		
Fumes: Air Contamination Level not less than 0.05 mg/M ³						
Mists: Air Contamination Level not less than 0.05 mg/M ³ or 2 mppcf					X	
Dusts, Fumes, and Mists: Air Contamination Level less than 0.05 mg/M ³ or 2 mppcf, and radionuclides			X			X
Radon daughters	¹ X				² X	
Asbestos-containing dusts and mists ...	² X				³ X	
Single use dust and mist respirators		³ X			³ X	

¹ For resistance only.² For penetration only.³ Test required only where applicable.

TABLE 14—CARBON TETRACHLORIDE BENCH TESTS AND REQUIREMENTS FOR CANISTERS AND CARTRIDGES

[42 CFR part 84, Subpart KK]

Type of pesticide respirator	Test concentration p.p.m. CCl ₄	Flow rate l.p.m.	Number of tests	Minimum life minutes ¹
Chest-mounted or back-mounted gas mask (as received)	20,000	64	3	12
Chest-mounted or back-mounted gas mask (equilibrated)	20,000	32	4	12
Chin-style gas mask (as received)	5,000	64	3	12
Chin-style gas mask (equilibrated)	5,000	32	4	12
Chemical Cartridge respirator (as received)	1,000	64	3	50
Chemical cartridge respirator (equilibrated)	1,000	32	4	50
Powered air-purifying respirator (tight-fitting facepiece, as received) ..	1,000	² 115	3	50
Powered air-purifying respirator (tight-fitting facepiece, equilibrated) ..	1,000	² 115	4	25
Powered air-purifying respirator (loose-fitting hood or helmet, as received)	1,000	³ 170	3	50
Powered air-purifying respirator (loose-fitting hood or helmet, equilibrated)	1,000	³ 170	4	25

¹ Minimum life will be determined at 5 p.p.m. leakage.² The flow rate shall be the effective flow rate of the device, but shall be not less than 115 l.p.m.³ The flow rate shall be the effective flow rate of the device, but shall be not less than 170 l.p.m.

PART 85—REQUESTS FOR HEALTH HAZARD EVALUATIONS

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AUTHORITY: Sec. 8(g), 84 Stat. 1600; 29 U.S.C. 657(g) and sec. 508, 83 Stat. 803; 30 U.S.C. 957.

SOURCE: 37 FR 23640, Nov. 7, 1972, unless otherwise noted.

§ 85.1 Applicability.

This part 85 applies to health hazard evaluations requested by any employer or authorized representative of employees under section 20(a)(6) of the Occupational Safety and Health Act of 1970 or section 501(a)(11) of the Federal Mine Safety and Health Act of 1977.

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This part is not intended to preclude the use of other channels of communication with the National Institute for Occupational Safety and Health to obtain information and technical assistance concerning toxic substances or physical agents.

[45 FR 2652, Jan. 14, 1980]

§ 85.2 Definitions.

Any term defined in the Occupational Safety and Health Act of 1970 or the Federal Mine Safety and Health Act of 1977 and not defined below shall have the meaning given it in the respective Acts. As used in this part:

OSH Act means the Occupational Safety and Health Act of 1970 (29 U.S.C. 651, *et seq.*).

FMSH Act means the Federal Mine Safety and Health Act of 1977 (30 U.S.C. 801, *et seq.*).

Authorized representative of employees means any person or organization meeting the conditions specified in § 85.3-1(e) (1), (2), or (3).

Employee has the same meaning as stated in the OSH Act and for the purposes of this part includes *miner* as defined in the FMSH Act.

Employer has the same meaning as stated in the OSH Act and for the purposes of this part includes *Operator* as defined in the FMSH Act.

Health hazard evaluation means the investigation and the determination of potentially toxic or hazardous effects of: (a) Any substance normally used or found in any place of employment to which the OSH Act is applicable, or (b) any substance or physical agent normally used or found in any place of employment to which the FMSH Act is applicable.

Investigation means a physical inspection of the place of employment under section 8 of the OSH Act or section 103 of the FMSH Act and includes inspection, sampling, observations, review of pertinent records, and other measurements reasonably necessary to determine whether any substance or physical agent found in the place of employment has potentially toxic or hazardous effects in the concentrations or levels used or found.

NIOSH means the National Institute for Occupational Safety and Health, Center for Disease Control, Public

Health Service, Department of Health and Human Services.

NIOSH officer means a NIOSH employee who has been authorized by the Director, NIOSH, to conduct investigations according to this part.

Physical agent means any condition produced by the environment and/or work processes that can result in hazardous effects as defined in this section. Examples of physical agents are noise, temperature, illumination, vibration, radiation, and pressure.

Place of employment means any coal or other mine, factory, plant, establishment, construction site, or other area, workplace, or environment where work is performed by any employee of an employer.

Substance means any chemical or biological agent or dust which has the potential to produce toxic effects.

Toxic effects or *hazardous effects* are those effects which result in short- or long-term disease, bodily injury, affect health adversely, or endanger human life.

[45 FR 2652, Jan. 14, 1980]

§ 85.3 Procedures for requesting health hazard evaluations.

(a) Requests for health hazard evaluations should be addressed to the National Institute for Occupational Safety and Health as follows:

(1) *Requests from general industry.* Hazard Evaluations and Technical Assistance Branch, Division of Surveillance, Hazard Evaluations, and Field Studies, NIOSH, 4676 Columbia Parkway, Cincinnati, OH 45226.

(2) *Requests from mining industry.* Environmental Investigations Branch, Division of Respiratory Disease Studies, NIOSH, 944 Chestnut Ridge Road, Morgantown, WV 26505.

(b) Requests for health hazard evaluations shall be submitted in writing and signed by either: (1) The employer in whose place of employment the substance or physical agent is normally found, or (2) an authorized representative of employees (see § 85.3-1(e)) in the place of employment where the substance or physical agent is normally found.

[45 FR 2653, Jan. 14, 1980]